

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SEAN MELODY,

Plaintiff,

v.

WARDEN JAMES HILL,

Defendant.

Case No. 23-cv-06210-LJC

**ORDER TO SHOW CAUSE**

Petitioner Sean Melody, who is in custody, has filed a Petition for Writ of Habeas Corpus (Petition) pursuant to 28 U.S.C. § 2254. The Court has reviewed the Petition and concludes that it warrants a response. Accordingly, **IT IS HEREBY ORDERED** as follows:

- (1) The Clerk of Court shall serve a copy of the Petition and this Order upon Respondent(s) and the Attorney General of the State of California. *See* 28 U.S.C. § 2254, Rule 4.
- (2) Respondent(s) shall then file and serve an answer in accordance with 28 U.S.C. § 2254, Rule 5 and Habeas Corpus Local Rule 2254-6. Respondent(s) shall file with the answer and serve on Petitioner a copy of all portions of the underlying state criminal record that were previously transcribed and are relevant to the issues presented by the petition.
- (3) Petitioner may serve and file a traverse responding to matters raised in the answer in accordance with 28 U.S.C. § 2254, Rule 5 and Habeas Corpus Local Rule 2254-6.
- (4) Respondent(s) may file a motion to dismiss on procedural grounds in lieu of an answer, as set forth in the Advisory Committee Notes to Rule 4 of the Rules Governing Section 2254 Cases. If such a motion is filed, Petitioner shall file with the Court and serve on Respondent(s) an opposition or statement of non-opposition within 28 days of the date the motion is filed, and Respondent(s) shall file with the Court and serve on Petitioner a reply

1 within 14 days of the date any opposition is filed.

2 **IT IS SO ORDERED.**

3 Dated: February 8, 2024

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LISA J. CISNEROS  
United States Magistrate Judge

United States District Court  
Northern District of California